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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA; and
11 NINE NAMED FEDERAL EMPLOYEES,

12 Plaintiffs,

CIV. NO. S- 04-1263 FCD GGH PS

13 vs.

14 WILLIAM J. BIGGS and BETTY BIGGS,

15 Defendants.

ORDER

16 Defendant William Biggs has filed a request for an extension of sixty days in
17 which to file an opposition to the government's motion for summary judgment. The government
18 filed its motion on October 27, 2006, noticing it for hearing on January 25, 2007, thereby initially
19 giving Biggs extra time to respond to its motion. Although the government does not oppose
20 Biggs' request for extra time, it acknowledges that a grant of the request will necessitate
21 modification of the scheduling order. The scheduling order has previously been modified in this
22 2004 case. Moreover, Biggs' reason for needing more time, that he must travel sixty miles each
23 way to a law library to prepare an opposition, does not explain why he could not travel to the law
24 library between October 27, 2006, and January 11, 2007, the current filing deadline for
25 opposition. Therefore, Biggs' request will be granted only insofar as it allows him time to
26 receive this denial and file his opposition.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Biggs' request for extension of time to respond to the government's motion for
3 summary judgment is granted in part. His opposition shall be filed by January 25, 2007.

4 2. The government's reply, if any, shall be filed by February 1, 2007.

5 3. The hearing on the government's motion is continued to February 8, 2007 at
6 10:00 a.m.

7 DATED: 1/8/07

/s/ Gregory G. Hollows

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GREGORY G. HOLLOWS
U. S. MAGISTRATE JUDGE

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